

Retail and Medical Marijuana Rulemaking Announcement

July 15, 2013 Permanent Rulemaking

Amendment 64 of the Colorado State Constitution and HB13-1317 directs the State Licensing Authority (SLA) to adopt rules for retail marijuana. The first step in the process was the adoption of the July 1, 2013 emergency rules, which established a robust regulatory structure for retail marijuana designed to protect public safety and prevent diversion of retail marijuana to minors. With those goals in mind, the SLA filed a Notice of Rulemaking with the Secretary of State on July 15, 2013 in order to adopt permanent rules for retail marijuana and revised set of rules governing medical marijuana.

Written Comments

The SLA encourages interested parties to submit written comments on the proposed rules, including alternate proposals, by August 15, 2013, so that the SLA can review comments prior to the rulemaking hearing. Written comments will also be accepted after that date, until the rulemaking record is closed following the hearing.

The SLA will accept all written comments but strongly encourages written comments to be submitted on Form DR 2477. The form is available on the Department of Revenue's (DOR) Amendment 64 page, which can be found at: www.colorado.gov/revenue/amendment64.

Please print, complete and save Form DR 2477 as a separate document and then submit the Form via e-mail. Written comments and completed Forms DR 2477 may be emailed to: dor_ruleform@state.co.us. In addition, you may submit completed Forms DR 2477 to:

Colorado Department of Revenue
Executive Director's Office
RE: Rules
1375 Sherman Street, Room 409
Denver, CO 80261

Written comments will also be accepted at the rulemaking hearing and at all stakeholder working group meetings.

Stakeholder Working Groups

Stakeholder Working Groups & Members: The SLA is organizing five stakeholder working groups to engage in depth discussions about the permanent rules for retail marijuana and the revised rules for medical marijuana. Each group will focus on a different aspect of those rules and include an almost entirely different set of stakeholders. The following is list of the stakeholder working groups and the members for each group.

- **The Licensing, Licensed Premises, Transportation and Storage Working Group**
 - *Chair:* Lewis Koski (Marijuana Enforcement Division)
 - Adrienne Russman (Governor's Office)
 - Judy Steele (City and County of Denver, Excises and Licenses)

- Melanie Snyder (Attorney General's Office)
 - Chris Olson (County Sheriff of Colorado)
 - Brenda Davis (Colorado Division of Gaming)
 - Jeff Gard (Attorney)
 - Brooke Gerhing (Medical Marijuana Industry Business Owner)
 - Meg Collins (Cannabis Business Alliance)
 - Collon Kennedy (Colorado Communiqué, LLC)
- **The Licensed Entities and Inventory Tracking Working Group**
 - *Chair:* Ron Kammerzell (Department of Revenue)
 - Cally King (Governor's Office)
 - John Vicchiarelli (Department of Revenue)
 - Matt Huron (Medical Marijuana Industry Large Business Owner)
 - Jessica LeRoux (Medical Marijuana Industry Small Business Owner)
 - Ronn Nixon (Consumer Advocate)
 - Eric Bergman (Colorado Counties, Inc.)
 - Ann Marie Jensen (Jensen Public Affairs representing the Colorado Association of Chiefs of Police)
 - Tom Raynes (Colorado District Attorney's Council)
 - Gennifer Murray (Medical Marijuana Laboratory Owner)
 - Amy Poinsett (MJ Freeway)
 - Mike Elliot / Norton Arbelaez (Medical Marijuana Industry Group / Compliance Officer)
- **The Record Keeping, Enforcement, and Discipline Working Group**
 - *Chair:* Hank Hassler (Marijuana Enforcement Division)
 - Cally King (Governor's Office)
 - Kevin Bommer / Rachel Allen (Colorado Municipal League)
 - Kevin Fischer (Medical Marijuana Industry Owner)
 - Mitch Murray (Colorado Springs District Attorney)
 - Beverly Bookout (Boulder Police Officer)
 - Melanie Snyder (Attorney General's Office)
 - Mark Slaugh (Medical Marijuana Industry Compliance)
 - Joel Russman (Attorney)
 - Stewart Zion (Department of Revenue)
- **The Labeling, Packaging, Product Safety, and Marketing Working Group**
 - *Chair:* Jordan Wellington (Marijuana Enforcement Division)
 - Cally King (Governor's Office)
 - Dan Anglin (Anglin Public Affairs representing EdiPure and Green Cross Colorado)
 - Brian Swanton (Medical Marijuana Industry Owner)
 - Andy LaFrate (Medical Marijuana Industry Owner)
 - Sandra Solin (Capitol Solutions representing Smart Colorado)
 - Jeff Groff (Colorado Department of Public Health and Environment)
 - Christian Sederberg (Attorney)

- Ernie Martinez (Denver Police Department)
 - Professor Charles Patti (Interim Dean and Professor of Marketing at the University of Denver)
 - Laura Borgelt (Associate Professor at the University of Colorado, Clinical Pharmacy and Family Medicine Department)
 - Heather Despres (Laboratory Director for CannLabs)
 - Dr. Uwe Christian (Medical Director at the Bio Analytics Laboratories at University of Colorado School of Medicine)
 - Dr. Paula Riggs (Professor of Psychiatry and Director of the Division of Substance Dependence, University of Colorado of Medicine, Anschutz Medical Campus)
- **The Medical Differentiation Work Group**
 - *Chair:* Lewis Koski (Marijuana Enforcement Division)
 - Adrienne Russman (Governor's Office)
 - Teri Robinette (Patient Advocate)
 - Chief John Jackson (Greenwood Village Police Department)
 - Cheri Hackett (Medical Marijuana Industry Business Owner)
 - Tim McDowell (Medical Marijuana Industry Business Owner)
 - Eric Spiedell (Medical Marijuana Industry Business Owner)
 - Melanie Snyder (Attorney General's Office)
 - Sean McAllister (Attorney)
 - Kimberly Ryan (Attorney)

Please note that the SLA reserves the right to change the composition of any stakeholder working groups as it deems necessary throughout the process.

Stakeholder Working Group Descriptions:

The Licensing, Licensing Premise, Transportation, and Storage Working Group will discuss the series 200, 300, and 800 rules from the July 1 2013 emergency rules. Topics will include, but are not limited to, applying for licenses, suitability, residency requirements, and limited access areas.

The Licensed Entities and Inventory Tracking Working Group will discuss the series 400, 500, 600, and 700 from the July 1, 2013 emergency rules. Topics will include, but are not limited to, the seed-to-sale tracking system and the specific privileges and prohibitions associated with each license type.

The Labeling, Packing, Product Safety, and Advertising Working Group will discuss the series 1,000 and 1,100 rules from the July 1, 2013 emergency rules and testing. Topics will include, but are not limited to, labeling for retail marijuana and retail marijuana products, poison prevention packaging, advertising, certification of laboratories, and testing standards for retail marijuana and retail marijuana products.

The Record Keeping, Enforcement, and Discipline Working Group will discuss the series 900, 1200, 1300, and 1400 rules from the July 1, 2013 emergency rules. Topics will include, but are not limited to, the maintenance of records, MED investigations and the discipline process for licensees, and MED interaction with local governments and law enforcement.

The Medical Differentiation Working Group will discuss the ways in which the rules for retail marijuana must differ from the rules for medical marijuana based upon patient needs and the different constitutional amendments and enabling statutes.

Meetings & Locations:

The stakeholder working groups will meet according to the following schedule:

- The Licensing, Licensed Premises, Transportation, and Storage Working Group
 - July 17, 2013 from 1PM to 5PM at the Ralph L. Carr Colorado Judicial Center, 2 East 14th Ave Denver, CO 80203, Room 1A
 - July 25, 2013 from 1PM to 5PM at the Marijuana Enforcement Division, 455 Sherman Street, Suite 390, Denver, CO 80203
- The Licensed Entities and Inventory Tracking Working Group
 - July 18, 2013 from 1PM to 5PM at the Marijuana Enforcement Division, 455 Sherman Street, Suite 390, Denver, CO 80203
 - July 29, 2013 from 1PM to 5PM at the Department of Revenue, 1881 Pierce Street, Lakewood, CO 80214; Entrance B, Conference Room 110
- The Labeling, Packaging, Product Safety and Advertising Working Group
 - July 23, 2013 from 1PM to 5PM at the Division of Gaming, 17301 West Colfax Avenue, Suite 135, Golden, CO 80401, Gaming Commission Room
 - August 1, 2013 from 1PM to 5PM at the Marijuana Enforcement Division, 455 Sherman Street, Suite 390, Denver, CO 80203
- The Record Keeping and Enforcement Working Group
 - July 24, 2013 from 1PM to 5PM at the Division of Gaming, 17301 West Colfax Avenue, Suite 135, Golden, CO 80401, Gaming Commission Room
 - July 31, 2013 from 1PM to 5PM at the Department of Revenue, 1881 Pierce Street, Lakewood, CO 80214; Entrance B, Conference Room 110
- The Medical Differentiation Working Group
 - August 8, 2013 from 9AM to 5PM at the Ralph L. Carr Colorado Judicial Center, 2 East 14th Ave Denver, CO 80203, Room 1A

Public Participation: All stakeholder working group meetings will be open to the public. Additionally, a recording and minutes of each meeting will be made available via the DOR Amendment 64 website: www.colorado.gov/revenue/amendment64. . Agendas for every meeting will also be made available to the public at least 24 hours in advance via the website. Although the first meeting for each stakeholder working group will be devoted to discussion amongst group members, the second meeting will provide an opportunity for interested individuals to provide public comment

Public Hearings

The State License Authority will hold formal, public hearings regarding for the permanent rules for retail marijuana and the revised rules for medical marijuana. Any member of the public may testify at the hearing and/or submit written comment - all testimony and written comment will be considered part of the formal public record.

Hearing Schedule: The formal public hearings will be held on August 20, 21, and 22. The hearings will begin at 9am and end at 5pm, with an hour break for lunch. The hearings will be held in the old Supreme Court Chamber at the State Capital in Denver.